

12-14-01

A

Case Docket No.: FA--63 CIP CON 2



Assistant Commissioner For Patents  
Washington, D.C. 20231

Transmitted herewith for filing is the patent application of:

Inventor: James J. Frassica  
For: ROTATE TO ADVANCE CATHETERIZATION SYSTEM

Enclosed are:

- ☒ 12 sheets of drawings.  
☐ An assignment of the invention to: \_\_\_\_\_  
☐ A verified statement to establish small entity status.  
☒ REQUEST FOR FILING RULE 1.53 (B) CONTINUATION APPLICATION.

The filing fee has been calculated as shown below:

Small Entity				Large Entity		
For:	No. Filed	No. Extra	Rate	Fee	Rate	Fee
Basic Fee				\$370.00		\$740.00
Total Claims	20 - 20		x \$ 9.00	0	x \$18.00	
Ind. Claims	7 - 3	4	x \$42.00	\$168.00	x \$ 84.00	
Mult. Claims			+ \$140.00	0	+ \$280.00	
Total \$538.00						

☐ Please charge my Deposit Account No. 16-0221 to cover the filing fee and assignment recording fee. A duplicate copy of this sheet is enclosed.

☒ A check in the amount of \$538.00 to cover the filing fee (and assignment recording fee) is enclosed.

☒ The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 16-0221. A duplicate copy of this sheet is enclosed.

- ☒ Any additional filing fees required under 37 CFR 1.16.  
☒ Any patent application processing fees under 37 CFR 1.17.

☒ The Commissioner is hereby authorized to charge payment of the following fees during the pendency of this application or credit any overpayment to Deposit Account No. 16-0221. A duplicate copy of this sheet is enclosed.

- ☒ Any patent application processing fees under 37 CFR 1.17.  
☐ The issue fee set in 37 CFR 1.18 at or before mailing of the Notice of Allowance, pursuant to 37 CFR 1.311(b).  
☒ Any filing fees under 37 CFR 1.16 for presentation of extra claims.

Respectfully submitted,

*James A. Sheridan* 12/11/01  
 Pandiscio & Pandiscio  
 470 Totten Pond Road  
 Waltham, Massachusetts 02451-1914  
 Tel. (781) 290-0060

PS/FACIPCN.FEE

FA-63 CIP CON 2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE REQUESTED FILING OF RULE 1.53(B)  
CONTINUATION PATENT APPLICATION BASED ON  
THE FOLLOWING PENDING PRIOR PATENT APPLICATION:

In re Application of: James J. Frassica  
Serial No.: 09/448,054  
Filing Date: 11/23/99  
Title: ROTATE TO ADVANCE CATHETERIZATION  
SYSTEM  
Group Art Unit: 3763  
Examiner: L. Thanh  
Attorney's Docket No.: FA-63 CIP CON

BOX PATENT APPLICATION  
Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

FILING OF PATENT APPLICATION UNDER 37 CFR 1.10

The attached Rule 1.53(B) continuation application is being  
filed under the provisions of 37 CFR 1.10.

Respectfully submitted,

*James A. Sheridan 12/11/01*

James A. Sheridan  
Registration No. 43,114  
Pandiscio & Pandiscio  
470 Totten Pond Road  
Waltham, MA 02154  
Tel. (781) 290-0060

"Express Mail Mailing Label Number ET119065258US  
Date of Deposit DECEMBER 11, 2001  
I hereby certify that this paper or fee is being deposited with  
the United States Postal Service "Express Mail Post Office to  
Addressee" service under 37 CFR 1.10 on the date indicated above  
and is addressed to Assistant Commissioner for Patents,  
Washington, D.C. 20231.

*James A. Sheridan 12/11/01*  
James A. Sheridan

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE REQUESTED FILING OF RULE 1.53(B)  
CONTINUATION PATENT APPLICATION BASED ON  
THE FOLLOWING PENDING PRIOR PATENT APPLICATION:

In re Application of: James J. Frassica  
Serial No.: 09/448,054  
Filing Date: 11/23/99  
Title: ROTATE TO ADVANCE CATHETERIZATION  
SYSTEM  
Group Art Unit: 3763  
Examiner: L. Thanh  
Attorney's Docket No.: FA-63 CIP CON

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

REQUEST FOR FILING RULE 1.53(B) CONTINUATION APPLICATION

This is a request for filing a continuation application, in accordance with Rule 1.53(B), of pending prior application Serial No. 09/448,054 filed 11/23/99 by James J. Frassica for ROTATE TO ADVANCE CATHETERIZATION SYSTEM, which is a continuation of prior application Serial No. 08/797,426, filed 02/10/97 by James J. Frassica for ROTATE TO ADVANCE CATHETERIZATION SYSTEM.

Submitted with this request are the following:

1. A true copy of said prior application Serial No. 08/797,426 (including specification, claims and drawings) as originally filed;
2. An AFFIDAVIT by an attorney of record verifying that the enclosed copy of said prior application Serial No. 08/797,426 is a complete and true copy;
3. A PRELIMINARY AMENDMENT which amends the application to show that it is a continuation of parent application Serial No. 09/448,054;

4. A copy of a SUBMISSION OF NEW POWER OF ATTORNEY as filed in said application Serial No. 08/797,426;

5. A copy of a REQUEST FOR RECORDATION of an ASSIGNMENT to Essex Technology, Inc. as filed in said prior application Serial No. 08/797,426; and

6. A VERIFIED STATEMENT CLAIMING SMALL BUSINESS ENTITY STATUS as executed by an officer of the Assignee, Essex Technology, Inc.

7. A check in the amount of \$538.00 covering the filing fee, calculated on the basis of the claims filed and the claims canceled by the enclosed Preliminary Amendment. The fee has been calculated on the basis of a small entity status, as follows:

TOTAL CLAIMS	20 - 20 = 0	x 9 = \$ 0.00
INDEPENDENT	7 - 3 = 4	x 42 = \$168.00
BASIC FEE		\$370.00

TOTAL FILING FEE:	\$538.00
-------------------	----------

8. A mailing certificate indicating that this submittal is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service on December 11, 2001 as provided for under 37 CFR 1.10.

The Power of Attorney in the prior application is to Pandiscio & Pandiscio, a firm composed of Nicholas A. Pandiscio, Registration No. 17293, Mark J. Pandiscio, Registration No. 30883, Scott R. Foster, Registration No. 20570, and James A. Sheridan, Registration No. 43114, or any of them, all of 470 Totten Pond Road, Waltham, MA 02154-1914 (Telephone No. 781-290-0060).

The inventor named in this continuation application is the same inventor named in the prior application Serial No. 08/797,426.

The Commissioner of Patent and Trademarks is hereby authorized to charge any additional fees (filing or application processing fees under 37 CFR 1.16 or 37 CFR 1.17) which may be required in connection with this continuation application, or credit any overpayment, to Deposit Account No. 16-0221.

The Commissioner is also authorized to prepare a certified copy of said prior copending application if the same is deemed to be necessary and to charge the cost of same to Deposit Account No. 16-0221.

A duplicate copy of this letter is enclosed for filing in said prior copending application.

All communications in this matter should be addressed to:

Mark J. Pandiscio  
Pandiscio & Pandiscio  
470 Totten Pond Road  
Waltham, Massachusetts 02154.

Thank you.

Respectfully submitted,

*James A. Sheridan 12/11/01*

James A. Sheridan  
Registration No. 43,114  
Pandiscio & Pandiscio  
470 Totten Pond Road  
Waltham, MA 02451-1914  
Tel (781) 290-0060  
Fax (781) 290-4840

PS/FACIPCN.REQ

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE REQUESTED FILING OF RULE 1.53(B)  
CONTINUATION PATENT APPLICATION BASED ON  
THE FOLLOWING PENDING PRIOR PATENT APPLICATION:

In re Application of: James J. Frassica  
Serial No.: 09/448,054  
Filing Date: 11/23/99  
Title: ROTATE TO ADVANCE CATHETERIZATION  
SYSTEM  
Group Art Unit: 3763  
Examiner: L. Thanh  
Attorney's Docket No.: FA-63 CIP CON

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

AFFIDAVIT VERIFYING APPLICATION

Commonwealth of Massachusetts  
County of Middlesex

I, James A. Sheridan, being duly registered to practice before the U.S. Patent and Trademark Office, and being duly sworn, depose and state that: I am attorney of record in the above-identified pending prior application Serial No. 09/448,054 filed 11/23/99, and that the enclosed application is a true and complete copy of the prior application Serial No. 08/797,426 as filed, and that no amendments referred to in the oath or declaration filed to complete the prior patent application Serial No. 08/797,426 introduced new matter therein.

*James A. Sheridan* 12/11/01  
James A. Sherian  
Registration No. 43,114

Sworn to before me this 11<sup>th</sup> day of December, 2001.

*Marylandin*  
Notary Public  
My commission expires: April 17, 2003

PS/FA63PCN.AFF

5

10

15